

REMARKS/ARGUMENTS

Reconsideration of the application is requested.

Claims 3, 5-8, 12, 15-17, 20-24 and 26 are now in the application. Claims 3, 16-17 and 26 have been amended. Claims 9-11 have been canceled.

The subject matter of claim 11 has been incorporated into claims 3, 16, 17, and 26.

The claims are now limited to clearing the image off the plate by way of a clearing liquid that is a base or an alkali. Acids and pH-neutral liquids, as well as devices that use acids or neutral liquids are no longer within the scope of the claims.

We now turn to the art rejections:

- Claims 3, 9-11, 15-17 and 26 have been rejected as being anticipated by Hess (US 6,546,868) under 35 U.S.C. § 102.
- Claims 16, 17, 21-24 and 26 have been rejected as being anticipated by Sasaki et al. (US 2001/0006028) under 35 CFR U.S.C. 102(a).
- Claims 16, 17, 22-22 and 26 have been rejected under 35 U.S.C. 102(e) as being anticipated by Schuster et al. (US 6,796,237).
- Claim 20 has been rejected under 35 U.S.C. 103(a) as being unpatentable over Sasaki et al. in view of Schuster et al.
- Claims 12 and 24 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Hess.

In light of the amendment and the incorporation of the subject matter of claim 11 (alkali, base) into all of the independent claims, most of these listed rejections no longer apply. We will thus deal with the first-listed rejection, namely, the rejection of claim 11 as being anticipated by Hess.

The specific statement in support of the rejection is found on page 3 of the Office action, where the Examiner states:

Regarding claim 11, Hess further teaches "providing an alkali or a base as the liquid clearing medium (column 7, lines 24-26)."

Office action, page 3, line 6-7.

This is patently incorrect. Hess removes the layers from his plate by way of ammonium fluoride solution. This is not an alkali or a base. Ammonium fluoride is an acid. Similarly, claim 5 of Hess directs the reader to HF as the clearing medium. HF may be a weak acid. It is an acid, nevertheless. In fact F is a halogen and most halides form strong acids. HF is a weak acid because it does not dissociate easily. Hess uses acids. Hess does not use an alkali or a base.

Hess explains:

For example, the treatment of the surface with an ammonium chloride/HF solution is suitable as one of the chemical processes which may be used, the uppermost layer being removed with the aid of this process and at the same time the hydrogen termination of the surface being effected.

Hess, US '868, col. 6, lines 24-28.

5. The method according to claim 4, which comprises carrying out the layer removal with HF.

6. The method according to claim 4, which comprises carrying out the layer removal with an ammonium fluoride solution.

Id., col. 7, lines 23-27.

Hess teaches away from using a basic or alkali liquid. Hess teaches the opposite, namely, removal by acidic liquid.

Claim 3, which requires a step of treating the printing form with a liquid clearing medium that is an alkali or a base is not anticipated by the reference Hess. The Examiner is respectfully urged to rescind the rejection.

Claims 16, 17, and 26 are patentable as well and for similar reasons. The device claims include the same limitation. There, there is provided a device which is configured to apply alkali or base liquid clearing medium to the printing form or to the printing plate. Neither Hess nor any of the other references includes such a device. The apparatus claims are patentable over the references of record.

The entry of the amendment is believed to be warranted. Claim 3, as amended, corresponds to the previously examined claim 11. Similarly, the limitation concerning the clearing medium from claim 11 now appears in all of the remaining claims and, as such, they are patentable as well.

In summary, none of the references, whether taken alone or in any combination, either show or suggest the features of the claims. All of the claims are patentable over the prior art.

In view of the foregoing, the allowance of the claims is solicited.

Respectfully submitted,

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